

PRELIMINARY DRAFT: SUBJECT TO REVISION

Some Alternative Approaches to the Classification of American Indians and Alaska Natives

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INTRODUCTION

In the formative years of childhood, one of the things that most children learn is how to respond to questions about their identity-- "I am a boy," "I am a sister," "I am an American Indian." Gender, family relationships, and ethnic identity form a nexus of a social identity that most of us will carry around in our minds for the duration of our lives. Of these three, ethnic identity may be the most fluid and malleable over time. For many people, the meaning and salience of one's ethnic attachments change significantly over time. The extent to which ethnic attachments are valued, how they are interpreted, the environments that shape them and even the attachments themselves are in constant transformation.

For these reasons, ethnic identity may also be the most difficult category of social identity to understand. By the same token, it may be even more problematic to observe and measure empirically. Nonetheless, the belief that racial and ethnic background is a simple and easily gauged characteristic—like height, weight, and hair color-- is an idea that is woven into the fabric of nearly every social institution in America. Federal, state, and local government agencies, schools, universities, employers, and nonprofit organizations all seek information about racial and ethnic background but few if any of these groups give much consideration to the content of the data they collect.

The principal point of this paper is to suggest that these data are a good deal more complex than they appear at first glance. In particular, the case of American Indians offers a good illustration of the many ways that the question of "who are you?" can be answered. As it turns out, this question and its obverse, "who are American Indians?" has about as many answers as it has individuals to offer them.

Needless to say, the complexity of this matter reverberates throughout the edifice of public policy that rests upon the racial and ethnic composition of American society. To fully appreciate this problem, it is helpful to begin with a brief overview of the ways it is possible to answer the question of "who are American Indians?" How this question is answered has important implications for public policy at all levels of government. Some observations about these policy implications form the second topic of this paper. In response, this paper concludes with several modest recommendations that are worth keeping in mind with regard to formulating public policy in the future.

In the distant past, there were no American Indians. As almost any school age child can explain, American Indians came into existence when Columbus encountered the Natives of the Western Hemisphere. Believing he had reached the Asian subcontinent, he described the people he met as Indians, and knowingly or not, rescued an otherwise failed mission to find a people on the other side of the planet. All of this is well known. What is less well known is that in the years since Columbus' failed expedition, the qualities and characteristics of persons believed to be a part of the Indian population in the Americas have become strikingly heterogeneous, and in some measure ambiguous. In 1500, it was easy to designate who was and was not an American Indian. Virtually anyone born in the Western Hemisphere qualified for the appellation. Today, there is a great deal of uncertainty about who is truly an Indian of American vintage.

The reason for this uncertainty is that there are a great many ways that one can be an American Indian. Biologically, persons of American Indian heritage have DNA traceable to

the earliest occupants of what are now called the Americas. This DNA manifests itself in particular kinds of fingerprint patterns, various compounds in the blood and urine, and often (though not always) a matrix of phenotypic traits such as high cheekbones and dark hair (Snipp 1989). At the other extreme, there are individuals who develop a strong emotional and/or spiritual attachment to what they perceive as American Indian culture and beliefs. Lacking any physical connection with a Native ancestry, these individuals embrace a set of beliefs that allow them to transmute their identity to become, at least in spirit, what they believe to be an American Indian. In some cases, they even attempt to establish their identity by trying to make a connection with the ghost of a long dead American Indian: "channeling" in the parlance of New Age philosophy.

HISTORICAL PRECEDENTS

Although the aforementioned are two ways that one can be an American Indian, they are not commonly practiced. That is, the Bureau of Indian Affairs does not analyze blood samples to determine Indian ancestry, and most view claims to ethnic identities based on spiritual experiences as purely bogus. A more common and widely used approach rests upon what sociologists describe as "administrative" classifications of race. That is, administrative classifications of race are constructed for the purpose of satisfying some sort of bureaucratic objective or political agenda. They are more or less arbitrary, changing over time and place. For American Indians, the federal government in particular has had a great deal to say who is and is not a member of this population. For this reason, it is important to understand how the federal government has defined who is an American in the past, and how it is done in the present.

Indians Not Taxed and Taxed

The earliest attempt by the federal government to classify American Indians appears in the Constitution of the United States. For the purposes of congressional representation, Article I, Section 2 of the Constitution stipulates that "Indians not taxed" should be excluded from enumeration. Presumably this is because at the time the Constitution was drafted, American Indians were not considered citizens of the United States. Similarly, this distinction implies that the payment of taxes was a necessary if not sufficient condition to establish citizenship for American Indians. It is not known how many American Indians gained their citizenship through taxation; very likely it was a small number.

The Constitution does not contain an explanation for identifying untaxed Indians, ostensibly because this was self-evident in the late 18th century. Nonetheless, in the censuses taken between 1790 and 1860, federal marshals were explicitly directed to acknowledge "Indians not taxed" as a category of identity, like that of "slave", and exclude such persons from enumeration. In the 1870 count, the distinction between "Indians taxed" and "Indians not taxed" was again retained but the marshals were instructed to make a notation of those who were taxed and those who were not taxed; again, for the purposes of congressional-representation.

Furthermore, for the practical purposes of counting the population, the federal marshals responsible for taking the census were ordered to count "Indians taxed" as American Indians who were living in or near Anglo-American settlements, away from their traditional tribal community, and working as farmers, laborers, or in some sort of trade. In other words, "Indians taxed" were individuals who had more or less assimilated into Anglo-American culture. In 1890, about 59,000 out of an estimated 248,000 American Indians were regarded as adequately civilized to justify their taxation (U.S. Bureau of the Census 1894). Twenty years later, largely as a result of allotment, the number of "Indians taxed" in 1910 had risen to 194,000, about

three-fourths of the total Indian population (U.S. Bureau of the Census 1915). Counting the number of American Indians taxed was noted as a vexing problem in the 1910 census because Indian respondents either refused to report or mix-reported their status. The number reported by the Census Bureau had to be estimated with the assistance of the Office of Indian Affairs (U.S. Bureau of the Census 1915, p.283). One can speculate that by 1910, many if not most American Indians clearly understood the financial burdens of taxation and preferred to be an Indian not taxed.

Blood Quantum

Fortunately for Census Bureau employees, the distinction between taxed and not taxed Indians was deemed no longer important for the 1920 census. In 1924, this distinction was made fully obsolete by the Indian Citizenship Act. However, another method for classifying American Indians had been introduced in several earlier censuses, and was to be an influential method for categorizing the Indian population for several decades ahead.

Exactly how, when, and by whom the vocabulary of blood quantum was introduced to the federal bureaucracy is in all likelihood a fact lost to history. However, the intellectual roots of this idea are well known and traceable back to a set of ideas known today as "eugenics" or less flatteringly, scientific racism. In the middle decades of the 19th century, it was widely believed that many if not most behaviors were inherited. Thus from this perspective, cultural characteristics could be inherited in the same way that skin complexion and hair color were inherited. Virtues and vices, thieves and saints were all the product of ancestry. In this connection, the concept of race figured prominently. Conceptually, different races exhibited different cultural characteristics in the same way that they manifest different physical traits. The physical classification of race became a shorthand method for assigning a large number of behavioral qualities to groups that shared a common ancestry.

One of the chief proponents of these ideas was a well-known scholar named Lewis Henry Morgan. Morgan is best known for being one of the founders of modern anthropology and within that discipline, he is remembered for his writings about the Iroquois. It was Morgan's contention that a large number of Iroquois customs were the outcomes of evolutionary development. As the Iroquois evolved from lower to higher orders of physical development, they also evolved from lower to higher orders of social development. In the course of this evolutionary progress, the Iroquois acquired certain behaviors and cultural practices that were then inherited by later generations of Iroquois offspring. Morgan carefully catalogued these cultural traits, believing they represented the behavioral characteristics that were attached to the Indian race. For example, Morgan believed that habits of dress and other customs such as wearing a breechcloth and sleeping in the nude were inbred behaviors characteristic of the Indian race (Bieder 1986, p.222).

He also was firmly convinced that inter-marriage between whites and Indians would lead inevitably to advances in acculturation and mental development (Bieder 1986, p.2 19). Reformulating Morgan's ideas into a simple hypothesis one might conclude that halfbreeds are twice as acculturated—"civilized" in the vocabulary of the era-- as full-bloods, and that quarter-bloods are twice as acculturated as half-breeds, and so on until through inter-marriage, the Indian race would cease to exist. Writing about this process, Morgan opined:

"their [Indian] children will intermarry respectably with our white people and thus the children will become respectable and, if educated, in the second and third generations will become beautiful and attractive." (Quoted in Bieder 1986, p.220)

If the ideas of Morgan and his colleagues had remained within the academy, they would amount to little more today than intellectual oddities consigned to history's wastebasket. However, Morgan and his colleagues were energetic scholars who enjoyed a wide sphere of influence, many occupied highly prestigious positions in academia and in government. In particular, one close associate of Morgan was himself an American Indian. Ely S. Parker was a member of the Seneca nation who had a close personal relationship with Morgan. In fact, it was Parker who helped Morgan complete his classic work *League of the Iroquois*.

Ely S. Parker was a man of considerable distinction in his time. Not only did he help Morgan complete his study of the Iroquois, he was himself a well-educated and accomplished individual. During the Civil war, he rose to the rank of colonel and served as Ulysses S. Grant's aide-de-camp. After the war, when Grant was elected to the presidency in 1868, he appointed Parker to serve as the first American Indian Commissioner of Indian Affairs. By all accounts Parker's tenure as the Commissioner was unremarkable (Prucha 1984). He was not a vocal advocate for Indian rights. If anything, he was dutiful public servant who faithfully administered the federal government's on-going efforts to "civilize" American Indians.

However, during Parker's time in office, a new way of classifying American Indians emerged within the federal bureaucracy. That is, the terms "full-blood" and "half-breed" entered the vocabulary of federal Indian policy sometime during the 1870s. The former term denoted an individual without evidence of European ancestry, thereby lacking any traces of civilization, i.e. acculturation. "Half-breeds" displayed some limited number of European traits and ostensibly were on their way to becoming acceptable candidates for white society.

It is not known whether Parker was responsible for this innovation, or in what manner he was involved in its development. There is no "smoking gun" in the form of a memorandum or other document to show that he suggested the use of these distinctions. Nonetheless, it was certainly the case that Parker was familiar with the nomenclature of Eugenics through his association with Morgan. Regardless, as a result of this change, the influence of scientific racism became incorporated into virtually sphere of federal Indian policy. At the very least, a growing number of half-breeds would signal the creeping progress toward civilization for American Indians. Consequently, in the 1880 census enumerators were instructed to note whether an American Indian respondent was a full blood or a half-breed. A special 1890 census report on American Indians devoted a great deal of attention to blood quantum. In 1910, this classification system was modified to recognize finer degrees of blood quantum, specifically quarters and three-quarters.

It is not clear to exactly what purposes the federal government intended when blood quantum classifications were introduced. However, once instituted, this system spread through every level of government dealing with American Indians and still persists into the present. It has been used as an indicator of legal competency, for heirship claims, to determine tribal membership, and eligibility for federal benefits. Although the intellectual credibility of Eugenics was obliterated after World War II, it bestowed a lasting legacy for American Indians.

SOME OBSERVATIONS ABOUT CURRENT PRACTICES

In the years since blood quantum was introduced for identifying and classifying American Indians, the American Indian population has become larger and more diverse. Similarly, the federal government and the public policy edifice devoted to American Indian issues also has grown larger and more complex. It should be no surprise that federal efforts to identify and classify American Indians have taken a number of different directions to meet a variety of

administrative imperatives. Today, there are at least four different ways of being recognized as an American Indian, each with different nuances for public policy. The first three are well known—blood quantum, tribal membership, and self-identification—and the fourth is a grab bag collection of complex ways that people become part of what is often considered the American Indian population. Each of these approaches carry certain advantages and disadvantages as tools for the implementation of public policy.

Blood Quantum

One might surmise that the discredited and embarrassing intellectual pedigree behind this approach would have caused it to be cast aside long ago, joining like-minded ideas about racial superiority, Jim Crow, and Social Darwinism. One would be very wrong. Ironically, many American Indian tribal governments continue to use this as a standard for tribal membership. However, they have not been alone, as the Bureau of Indian Affairs and the Indian Health Service also have relied heavily on this criterion for determining eligibility for services.

It also should be said, however, that in recent years, federal authorities have made much less use of blood quantum rules than in the past. One reason for this is that blood quantum criteria are problematic in terms of their legality. For example, after careful study the American Indian Policy Review Commission (1976) concluded that numerous successful legal challenges had rendered blood quantum an unacceptable alternative for determining who should be recognized as an American Indian. Nonetheless, in the mid-1980s the Indian Health Service entertained the idea of re-instituting blood quantum standards for the determination of service eligibility. Despite its many problems, the federal government from time to time seems sorely tempted to revive this practice and for this reason, it is worth reviewing its merits and liabilities for public policy.

The popularity and long-standing use of blood quantum may be partly due to the veneer it presents as a precise marker for determining ancestral descent. Self-descriptions of fractionated ancestry ("part Italian", "part Polish") are endemic to American culture and not unique for American Indians. However, to say that an individual is three-quarters or one-eighth American Indian indicates, at the very least, the number of persons with an ostensibly undiluted Indian ancestry inhabiting the family tree. Furthermore, for the sake of comparison, it permits individuals to claim in very precise language the degree to which they possess more or less Indian ancestry than another—the accuracy of such claims notwithstanding. What separates the fractionated ancestry claims of American Indians from those of other Americans are the legal and fiduciary implications they embody. For the purposes of settling legal claims and establishing entitlements, blood quantum appears to offer a high degree of certainty that is less prone to fraud than other indicators of ancestry. Blood quantum claims for American Indians are established by a paper trail of parentage that yields an exact number of what appears to be a closer or weaker connection to the American Indian population.

However, it is this paper trail and apparent precision that yield the most undesirable results when blood quantum is used as a tool for administration of public services. To establish blood quantum requires an ancestral benchmark. That is, a certified degree of blood quantum to which descent can be traced. Most such benchmarks are followed back to censuses and other official counts conducted in the latter part of the 19th century and the early part of the 20th. In some instances, officials queried respondents about their blood quantum, in other cases friends and relatives were asked, and still other cases, a blood quantum degree was simply assigned by an enumerator based on physical and behavioral characteristics. An individual, for example, might be designated a full blood if he or she did not speak English.

By modern standards of survey research, the accuracy of these counts is at best suspect. The Census Bureau, for instance, spends tens of millions of dollars and has access to high levels of technology, as well as roads, rapid transit, and aerial mapping. With all these advantages, there are still segments of the American Indian population it cannot reach, and who refuse to disclose accurate information. There is no reason whatsoever to believe that a handful of men on horseback, often working in remote areas, trying to count a fearful and/or hostile population could have done any better. It seems virtually certain that the documents upon which blood quantum claims are based are flawed. Almost certainly there were individuals who were not counted or whose blood quantum was misjudged. Remember that in this era, anyone disclosing a full blood identity was acknowledging a powerful stigma when dealing with authorities.

This means that any determination of blood quantum based on these records is itself likely to be flawed. Nonetheless, the BIA and more than a few tribal governments spend enormous amounts of time and money calculating these imperfect estimates of fractionated patrimony. Likewise, individuals displeased with the results of these efforts may also spend enormous amounts of personal resources disputing them. The reason to do so, apart from correcting the historical record, is that one-quarter blood quantum often has been regarded the minimum amount necessary for one to be recognized as a bona fide Indian. Quite simply, by bureaucratic reckoning, an American Indian has at least a one-quarter degree of Indian blood, and an individual with 63/256-degree blood quantum is not. Yet, as a practical matter the only difference between these two individuals is one full-blooded ancestor eight generations removed. Seen from this perspective, the arbitrary nature of this standard is painfully obvious.

Besides the clerical expense of verifying blood quantum, and the arbitrary quality of this criterion, this standard poses another long-term dilemma for the American Indian population. This dilemma arises because the numbers of American Indians with a "pure" ancestry is almost certainly shrinking, and the numbers of persons with ancestries in addition to American Indian is increasing. In the face of this trend, any criterion based on ancestral descent is virtually certain to disenfranchise from membership many persons who by other standards—linguistically, culturally, socially—would be considered a bona fide member of the American Indian community. This is because in the future, it is a near certainty that fewer and fewer American Indians will be able to be recognized as such under the blood quantum rules used in the past. In this regard, Lewis Henry Morgan's vision of the future may yet come to pass.

This problem stems from the high rates of inter-marriage found among American Indians. In the later decades of the 20th century, American Indians were more- likely to be married to non-Indians than to other Indians (Sandefur and McKinnel 1986, Sandefur and Liebler 1996, Snipp 1989). This is not too surprising because intermarriage between American Indians and whites has a long history dating back to Pocahontas and John Rolfe, through the fur trade, and was most likely was very common by the late 19th century. However, there are few sources of data showing inter-marriage rates in the 19th century or in the early part of the 20th. Nonetheless, the Census Bureau collected information about blood quantum in the 1910 and 1930 counts. Table 1 shows the distribution of the American Indian population with respect to those identified as full blood and mixed blood in 1910 and 1930. These numbers illustrate two important ideas. One is that even nearly a century ago, at least the third of the American Indian population consisted of multiracial persons. Second is that so-called full blood population was declining, down ten percent between 1910 and 1930, made up for by a seven percent increase in the mixed race population, and a three percent gain in the "blood not reported" category.

Table 1 about here

It is virtually certain, given high rates of intermarriage that the full blood component of the American Indian population has decreased steadily throughout the 20th century with

corresponding growth in the multiracial component. However, this is impossible to substantiate because the Census Bureau did not collect data about blood quantum after 1930, and the Bureau of Indian Affairs also did not systematically make this information available. One exception though was a survey of blood quantum conducted by the BIA in 1950. The results of this survey are noteworthy because they were used by the Office of Technology Assessment (OTA) in 1986 to produce a series of population projections showing changes in the full blood and mixed race populations through the year 2080. It would be a mistake to take too seriously the results of long term population projections, and the OTA estimates have a number of limitations. However, the results from their most conservative estimates are instructive and shown in Figures 1 A and 1 B.

Figures 1A and 1B here
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The projections in Figures 1A and 1B are foreshadowed by the trend in Table 1, albeit much more dramatically. That is, the proportion of the population that has one-half blood quantum or more is expected to fall dramatically at the same time that the number of persons with less than one-fourth blood quantum is projected to skyrocket. In particular, as long as some children marry outside of their community, tribal governments that adhere to this standard run the risk of eventually disinheriting the grandchildren of their people. Those who are concerned about the well-being of their seventh generation would do well to re-think this practice.

Tribal Membership

In 1976, the American Indian Policy Review Commission published its findings and one of these issues dealt with the matter of an official definition for who should be recognized as an American Indian. The Commission summarized the federal government's position with the following statement.

"But Congress can, and has, passed laws to define Indian status for some federal purposes. Although no statute has laid down a general definition of 'Indian,' Congress has sometimes set standards to define Indian status for special purposes. Older legislation used various degrees of Indian blood for different tribes, but those standards were often arbitrary and conflicted with tribal provisions. Recent congressional legislation, however, has avoided these conflicts and has given recognition to the primary tribal interest in membership by defining 'Indian' as a member of an Indian tribe." (AIPRC 1976, p. 108).

Table 1

Distribution of persons identified as full bloods, mixed bloods, and blood not reported, 1910 and 1930.

Ancestry	1910	1930
Full Blood (percent)	150,053 (56.5)	153,933 (46.3)
Mixed Blood (percent)	93,423 (35.2)	141,101 (42.5)
Blood Not Reported (percent)	22,207 (8.3)	37,363 (11.2)
Total (percent)	265,683 (100.0)	332,397 (100.0)

Thus, according to Congress, an American Indian is anyone who belongs to an American Indian tribe. There is a certain circularity in this principle but it does have one special virtue: it recognizes the sovereign rights of tribes to determine their constituency. However, a closer look at this idea reveals that it actually involves two more or less separate considerations. One is the matter of what constitutes a tribe, i.e. tribal recognition. The other is how do individuals qualify for membership within a tribe.

Tribal Recognition. It is far beyond the scope of this discussion to try to disentangle the notion of "tribe," or what constitutes a tribe (c.f. Thornton 1987, Fried 1975). Anthropological theory notwithstanding, it is still important to understand the different kinds of tribes that exist today for the purposes of public policy; especially why some tribes are "recognized" and others are not. Quite simply, there are three categories of tribes in the United States: unrecognized tribes, state recognized tribes, and federally recognized tribes.

In some respects, the situation most complicated to describe involves the standing of those groups who identify themselves as American Indian tribes but who are not recognized as such by any state or federal authority. As the term implies, unrecognized tribes are groups of individuals who claim to be American Indians but for one reason or another, are not recognized as such by government authorities, and often, by other groups of American Indians. There are many idiosyncratic reasons why this recognition is withheld. However, it is usually for one of two possible accounts. One is that the group in question simply does not conform to what most people would agree constitutes an American Indian tribe by historical or ethnological standards. For example, it might involve a group of individuals who vaguely recall distant Indian ancestors residing in their family trees and thereupon decide to form a collectivity known as the "Turtle Bear Tribe." They might gather together once a month to discuss their ancestors (or how to find them), do arts and crafts projects, and share a potluck dinner. One writer has dubbed this "the southeastern syndrome" because it seems to be a common phenomenon in southeastern states (Quinn 1990). Needless to say, the Turtle Bear Tribe would remain unrecognized in perpetuity by others such as the Bureau of Indian Affairs and most American Indians.

It is easy to see why any claim to tribal identity by the Turtle Bear Tribe might be widely regarded as implausible but there are other cases where the history is far more complex. For example, there are American Indian groups who were too small, too weak, too peaceful, or too acquiescent to have ever gained the notice of authorities and are thus unrecognized.

Another large group includes tribes who lost their recognition during the Termination era of federal policy. Historically and ethnologically, all of these groups may have a legitimate claim as American Indians. In fact, only recently have a number of them been successful in gaining federal recognition. One way this has happened has been through the courts, which in the 1980s restored tribal status to a number of terminated groups in California. Another way has been through congressional legislation but this has been perhaps least common. More frequently, unrecognized tribes have recourse through a costly and time consuming process established by the Bureau of Indian Affairs. The BIA recognition process requires extensive documentation showing historical and cultural continuity as a tribe, and only a few tribes have been successful in running this gauntlet. Nonetheless, 237 groups have petitioned or filed papers indicating their intent to petition for recognition. Out of this number, 15 have been denied recognition while the same number have been approved for recognition, representing the addition of 7,956 "new" Indians to whom the federal government is obligated. The remainder of applications are still pending within the BIA's Branch of Acknowledgment and Research (Bureau of Indian Affairs 2000).

State recognized tribes represent another category of tribe that are deemed "official" by their respective state governments but are not recognized as bona fide tribes by the federal government. As such they are not eligible for services from the BIA, nor are they entitled to the sovereign "government-to-government" relationship that exists for federally recognized tribes. The benefits of state recognition vary from state to state but in most instances amount to no more than the benefits that state governments owe to cities, counties, and other forms of local government. Most of these tribes are located in the South in states such as Texas, Louisiana, and Virginia. Some are remnant bands that were overlooked when the federal government was undertaking the removal of American Indians from the southeast during the early 19th century. Others are former federally recognized tribes. For example, federal recognition of the Catawba in South Carolina was terminated in the 1950s. A few, such as the Pamunkey in Virginia have established reservations while others such as the Piscataway in Maryland have no land base. Many if not most have petitioned the federal government for recognition.

Federally recognized tribes have what amounts to the highest form of recognition, and this relationship has been written about so extensively that little more needs to be said. These tribes occupy a highly complicated place in American society, and enjoy their recognition by virtue of being sufficiently large and/or troublesome that the federal government enacted policies designed to alternately destroy and assimilate them. For these tribes, recognition has been a costly affair but it is one that is coveted by unrecognized and state recognized tribes.

Tribal Membership Criteria. The federal government has not in recent years tried to influence the criteria that tribes establish. The single exception is that in the past, it has not been willing to acknowledge persons brought into a tribe through adoption ceremonies. Apart from this exception, each tribe determines the criteria it uses to establish its membership. For this reason, there is no

single or uniform standard that one can state as "the" criterion for tribal membership. Hence, from the perspective that American Indians are members of American Indian tribes, there are almost as many ways to be an Indian as there are tribes.

In many if not most instances, proof of descent is a requirement for tribal membership, along with other criteria such as recognition by the community or residence in the community. Some tribes have very inclusive requirements in the sense that it is relatively easy to become enrolled in the tribe. Other tribes have very exclusive requirements that make it very difficult to become enrolled member. One might expect that tribes with substantial resources, such as casino revenues, would have the most exclusive standards for membership. To some extent, this might be true but the southwestern pueblos have some of the most stringent criteria, and most of them have relatively few resources.

One way tribal governments can make membership criteria more or less exclusive is by raising or lowering blood quantum requirements, e.g. from one half to one quarter. Blood quantum is still a widely used criterion by tribal governments. Why so many tribal governments use it is not entirely clear, because it is a fundamentally alien idea imported from western pseudo-science. Most likely, blood quantum was introduced to tribes during the 1930's and 1940's when Indian communities were given the opportunity to establish reservation governments under the Indian Reorganization Act. Tribal constitutions usually stipulated the terms of membership, and during this time, blood quantum was widely used in the administration of Indian affairs.

No doubt that at the time, blood quantum may have seemed a logical choice for establishing tribal membership. In any event, many if not most tribes adopted blood quantum standards, and though many have abandoned this standard, it is still a common requirement. Table 2 shows the number of tribes using blood quantum membership criterion circa the mid 1980s. No doubt that additional tribes have altered their blood quantum requirements since these data were published but the results are still instructive. As this table shows, about two-thirds of all tribal governments maintained some type of blood quantum requirement in the mid-1980s, though in most cases, it was 1/4 or less.

Table 2 about here.

Tribes vary with respect to the documentation they require to demonstrate blood quantum. However, one important source of documentation is the Certificate of Degree of Indian Blood (CDIB) issued by the Bureau of Indian Affairs. The CDIB is obtained by furnishing to the BIA documentation about one's ancestors. This documentation permits a link to be created with records such as tribal censuses and enrollments taken in some earlier period of history when blood quantum was recorded. From this information, the BIA issues a document certifying the content of Indian blood possessed by the bearer, that is, a pedigree. This unique arrangement makes the relationship between American Indians and the BIA not too different than the relationship that exists for championship collies and the American Kennel Club. It hardly needs mentioning that these documents are as flawed as any other based on blood quantum.

Table 2

Blood quantum requirements of American Indian tribes by reservation basis and size.

	Blood Quantum Requirement		
	More than 1/4	1/4 or less	No minimum requirement
Number of tribes	21	183	98
Reservation based	85.7%	83.1%	63.9%
Median size	1022	1096	1 185

Source: Thornton 1996, p.107.

Before ending this discussion of tribal membership as a standard for circumscribing the Indian population, it is also important to mention a special problem it poses for a small but notable group of persons who might otherwise be entitled to claim American Indian heritage. That is, adopted persons with little or no information about birth parents are virtually certain to be excluded from identifying themselves as American Indian by this standard. This especially true for children born before the protections offered by the American Indian Child Welfare Act. Before this act, some large but probably unknown number of children were routinely placed in non-Indian homes with little or no information about their heritage, apart from the fact they were American Indian. For many of these individuals, it will be impossible for them to ever validate their identity as American Indians to the satisfaction of tribal standards.

Self-Identification

Verifying ancestry and other community connections are costly exercises. Few organizations are willing to invest the resources required to verify an individual's claim to being an American Indian in the same manner as a tribal government or the BIA. For example, few employers would request and carefully examine documents such as birth certificates to confirm tribal descent. For this reason, self-identification is perhaps the most widely used method for establishing the perimeters of the American Indian population. Apart from cost and convenience, there are also intellectual justifications for relying on self-identification. In Barth's classic essay (1969) on ethnicity, he argues that mutual self-awareness is one of the hallmarks of ethnic group boundaries. Hence, self-identification is an essential element for demarcating ethnic boundaries.

Ethnic self-identification is perhaps the most common way that American Indians acknowledge their identity. Until recently, an order known as Directive 15 issued by the federal government's Office of Management and Budget specifically ordered all federal agencies, its contractors, and grantees to include American Indians and Alaska Natives as groups for whom data should be collected. In practice, this meant that in addition to federal agencies, agencies of state and local governments, educational institutions, and many large and small employers had to provide data about any American Indians with whom they had contact, and hence the opportunity for clients, students, and employees to self-identify as American Indian or Alaska Native.

Self-identification as a device eliciting information about ethnic populations has several advantages, and well as several disadvantages. It is especially attractive to the organizations that must collect and provide ethnic data. It is relatively convenient and inexpensive, and certainly less so than any approach that requires verification. For respondents, it is also desirable because they are not required to submit evidence to prove their claim of American

Indian identity. An additional virtue is that it sidesteps the many complexities involved with blood quantum or tribal membership, especially for those persons belonging to unrecognized tribes or who were adopted in childhood. However, these desirable qualities also give rise to some very complicated problems.

One especially thorny matter involves the interpretation of reports of American Indian identity. For example, when a respondent indicates that he or she is an American Indian, it is usually not clear whether this person is a member of federally recognized tribe, a state recognized tribe, or an unrecognized tribe akin to the "Turtle Bear" tribe. Past and present federal guidelines do not stipulate that respondents should specify the nature of their tribal affiliation. Indeed, the nature of "Indian-ness", and the quality and character of American Indian ethnic identity (and ethnicity in general), is sufficiently nebulous and complex to cast enormous ambiguity over the content of racial self-identification. There are likely as many different notions about racial and racial identification as there are people to report it. To make this even more complicated, consider that a great deal of the data collected about racial characteristics are based on the second hand reports of individuals such as teachers, school administrators, friends, neighbors, and family members. Hence, we may know that within a community, there exists a group of individuals who regard themselves (or are regarded by others) as American Indians. However, this says little about their tribal ties, the degree to which they regard this identity as important, their culture and lifestyle, or anything else that would reveal much about the content of this identity.

The fluidity and instability of self-reported ethnic identity has been frequently commented upon (e.g. Waters 1990). However, there are few other groups in American society that have demonstrated more vividly how fluid and changeable self-reports of racial identity can be over time. Because American Indians historically have had very high rates of marriage with non-Indians, there are substantial numbers of multiracial persons who have the "option" of identifying themselves as American Indian, or something else. Not surprisingly, census data since 1960 have shown that large numbers of persons have chosen to change their identity to American Indian from some other category of racial heritage, e.g. black or white. For example, between 1970 and 1980, the American Indian population grew by 73 percent. About a third of this increase could be accounted for an excess of births over deaths (Snipp 1989). The remainder was accounted for by what has come to be termed "ethnic switching."

Ethnic switching occurs when an individual has more than one ancestries with which to identify. Data from the 1980 census indicate that indeed that there are large numbers of persons who are willing to claim some sort of American Indian or Alaska Native ancestry. In fact, the number of persons who believe they have some amount of American Indian ancestry is much larger than the actual number of persons who report their racial background as American Indian. Table 3 shows the numbers of persons who reported an American Indian ancestry compared with the numbers of persons who reported their race as American Indian in the 1980 and 1990 censuses. Quite clearly, the number of persons who might exercise their option to identify themselves as American Indian is enormous.

Table 3 about here

Table 3

American Indian population by race and ancestry, 1990 and 1980 censuses.

American Indian Definition	1990 Census	1980 Census	
	Number	Percent	Number Percent
By Ancestry, Total	8,798,000	100	6,766,000 100
By Race	1,959,000	22	1,420,000 21
By Ancestry, but not by Race	6,839,000	78	5,346,000 79

Source: Passell (1990), p.86.

The plain fact that so many individuals might plausibly identify themselves as American Indian raises an obvious question about whether they are "real" Indians in any other sense of the term. This lays open the issue of what has been called "ethnic fraud." This term was originally coined to describe persons who fraudulently reported themselves as American Indian in order to claim scholarship benefits paid by the state of Michigan. However, it has come to have wider meaning insofar as there is a growing sensitivity that some individuals do not have an authentic claim to an American Indian identity.

Questions about the authenticity of American Indian identity are especially problematic for persons with limited contact with a reservation community, limited knowledge about tribal culture, and few visible markers of cultural or phenotypical qualities associated with American Indians. In particular, persons lacking a strong connection with a tribal community may be judged to be ethnic impostors, their identity as American Indians deemed illegitimate, and pejoratively described as "wannabee's." Nonetheless, the procedures used by the federal government, most institutions, and private employers do not require verification to independently establish the credibility of self-reported ethnic identification. Thus, it is impossible to adjudicate claims to American Indian identity that are patently false or merely trivial from those of the most deeply enmeshed in tribal culture and community life.

Until recently, the policies of the federal government restricted the number of racial and ethnic identities an individual could report to a single category. However, changes made in 1997 allow multiracial reporting and may further complicate concerns about ethnic authenticity. In particular, this may create two sources of confusion. One is that given the opportunity to report more than one racial background, persons who in the past may have identified themselves only as "black" or as "white" may be inclined to add "American Indian" to their responses. This will not only add to the numbers of persons included in the American Indian population, it almost certainly will add to the uncertainty about whether the ethnic identities of such persons are as genuine as those who list no other identity except American Indian. It remains to be seen whether these issues emerge as salient concerns to large numbers of individuals, and especially to those in policy making roles. In the event they materialize, they are almost certain to have a corrosive effect on any effort to build a consensus about who may legitimately claim to be an American Indian.

As an endnote to this discussion, it is worth re-emphasizing the unparalleled importance of tribal affiliation as a touchstone for American Indian ethnic identification. And at the risk of overstating the case, it seems likely that most knowledgeable observers would

agree that anyone who does not have an affiliation a known tribal entity has only the weakest of attachments to the American Indian population. In fact, there is small amount of empirical research to support this assertion.

In a study using data from the 1990 census, Liebler (1996) compared the characteristics of persons who reported a tribal affiliation with those who did not, and found several key differences. These findings lead her to conclude that tribal affiliation is the litmus test for the validity of claims to American Indian ethnicity. Liebler concludes the report of her research with this unambiguous summary:

"...this analysis has shown that the absence of a tribal response implies the absence of an American Indian ethnic identity. The principal finding of this paper is that American Indians who do not specify their tribe are usually not people customarily regarded as American Indians. They have non-Indian ancestries, speak non-Indian, non-English languages, live in cities in non-Indian states and no one else in their household is tribally identified either. Analysts wishing to delineate 'real' Indians from others should consider restricting their samples to American Indians who responded to the tribal affiliation item." (Liebler 1996, p. 30).

Liebler's (1996) argument suggests that focusing on tribal affiliation diminishes much of the ambiguity about who self-identifies as American Indian. Her findings also suggest that excluding individuals who cannot disclose a tribal affiliation can reduce some of the heterogeneity found within the self-identified American Indian population. These results have important policy implications that are well worth considering.

CONCLUSION: SOME MODEST POLICY PROPOSALS

The brief proposals listed below are not intended to be exhaustive or comprehensive with respect to the preceding discussion. Quite obviously, the number of policy issues connected with matters such as tribal membership and blood quantum are virtually endless. So, for the sake of brevity, the following suggestions are presented as a necessarily incomplete listing of the most self-evident implications of this essay.

1. The importance of tribal identification. Anyone familiar with Indian Country and well acquainted with American Indians would not be surprised by Liebler's (1996) observations quoted above. Indeed for policy purposes, it would be worthwhile to consider as "real" Indians as only those persons who can articulate a tribal affiliation. This should be an absolute minimum requirement for anyone wishing to be recognized as an American Indian. Persons who cannot present even this small detail about their ethnic origins simply should not for any purpose be acknowledged by any government agency, educational institution, or private employer as an American Indian. This may pose a problem for individuals adopted outside an American Indian community, but in the event that birth parent information can be obtained, it is not insurmountable.

2. Discarding blood quantum. It should be obvious from reading this paper that an argument can be made against the practice of using blood quantum for administrative purposes. This position rejects for all purposes standards based on blood quantum criteria. While easy to criticize, blood quantum has been and continues to be a popular and in some respects, useful way of delineating the American Indian population. Its popularity stems from the widely held beliefs that it gauges, however imprecisely, ancestry and lineage and this somehow serves as a

proxy for cultural attachment. However, in rejecting blood quantum, it should also be said that it will not be an easy task to replace it. In the future, tribal governments will need to think more carefully about the standards that they wish to establish for membership. These standards should not be based on antiquated beliefs about cultural inheritance. Instead, a careful consideration of the meaning of citizenship as a political and legal right within the framework of tribal sovereignty needs to be undertaken. And because it will ultimately require the approval of Congress, discussions of new standards for tribal membership should be in consultation and collaboration with the members of Congress most concerned with these issues.

3. The impact of multiracial identities. In many respects, this is not a new issue for American Indians. One purpose of blood quantum was to assay the degree to which American Indians had incorporated other ethnic ancestries. However, the new federal standards that allow for the expression of multiracial ancestries will undoubtedly highlight and accentuate the presence of a large multiracial group within the American Indian population. Uninformed observers of this phenomenon may very likely be tempted to assert that these individuals are not "real" Indians, that the American Indian population has become diluted to the point that it no longer truly exists, and that the race of American Indians once regarded as the "Vanishing American" have finally disappeared into the pages of history. In particular, that the federal government's responsibility is about to end as soon as the last remnants of the Indian population marry themselves into extinction.

The patently racist assumptions upon which these ideas rest hardly deserve comment. However, that they will undoubtedly surface should give pause to Indian leaders and others concerned with the future of American Indian communities. In particular, they need to be ready to counter allegations that there are few "real" Indians left, and that multiracial persons do not necessarily represent evidence that the American Indian population is diminishing. By the same token, these same leaders also need to make their communities understand the perceptions that are created by multiracial responses, and to emphasize the importance of affiliating only with the American Indian population whenever possible.

4. Tribal data in federal statistical systems. Some federal agencies such as the BIA and the Census Bureau are well aware of the importance of tribal identification but others are inclined to deal with American Indians as an undifferentiated aggregate. However, the government-to-government relationship that is supposed to exist between the tribes and the federal government does not pertain to Indians *qua* Indians. It pertains to specifically identified tribal entities. As a result, in recognition of this relationship, and in recognition of the importance of tribal affiliation as a marker of ethnic identity and political status, it seems only appropriate for all federal agencies to incorporate this information into their record keeping systems.

5. Living with inconsistency. Consistency as an organizing principle for rational action is deeply ingrained within Anglo-American culture. Not surprisingly, bureaucracies in American society strive to impose this ideal wherever possible. This is not necessarily a bad thing but in the case of American Indians, it is a principle that frequently is at once counterproductive and impossible to attain. That is because the heterogeneity and remarkable diversity that is found among American Indians makes it impossible to develop policies and procedures that are applicable to all, or even most American Indians. Policy makers are increasingly aware that a "one size fits all" solution seldom satisfies anyone, regardless of who is involved. Certainly this is true for American Indians. Any effort that does not take full account of these differences is destined to be sub-optimal, if not an outright failure.

BIBLIOGRAPHY

To be added.